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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: M. OHSUGA, et al.
Application No.: 10/673,221
Filed: September 30, 2003
For: SUCTION DEVICE FOR INTERNAL COMBUSTION ENGINE
Art Unit: 3747
Examiner: M. J. Mc Mahon

SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 2, 2005

Sir:

In supplement to the Amendment filed on April 18, 2005, Applicants are submitting herewith a Terminal Disclaimer to obviate the obviousness-type double patenting rejection set forth in the November 16, 2004 Office Action. With regard to this matter, although the Applicants respectfully submit that claims 28, 29, 30, 32, 34, 35 and 38-40, all of which have been rejected under the doctrine of obviousness-type double patenting rejection based on claims from the respective U.S. parent patents 6,701,881, and 6,523,517, are directed to a separate patentable invention, in order to expedite the allowance of the present application, the Terminal Disclaimer is being filed to eliminate this issue. Accordingly, entry of this Terminal Disclaimer, and removal of the obviousness-type double patenting rejection set forth in the November 16, 2004 Office Action, is respectfully requested.

If the Examiner believes that there are any matters that can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below to arrange for an interview.

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To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Docket No. 503.33468CC6), and please credit any excess fees to such Deposit Account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 
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